

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BENJAMIN LEE FULLER,

Defendant.

8:17CR144

**ORDER ON APPEARANCE FOR
SUPERVISED RELEASE VIOLATION**

The defendant appeared before the Court on July 20, 2022 regarding Amended Petition for Offender Under Supervision [113]. Richard McWilliams represented the defendant. Sean Lynch represented the government. The defendant was advised of the alleged violation(s) of supervised release, right to retain or appointment of counsel, and any right to a preliminary hearing in accordance with Federal Rule of Criminal Procedure 32.1(a)(3).

The government made an oral motion to dismiss Petition for Offender Under Supervision [98]. The government's oral motion to dismiss Petition for Offender Under Supervision [98] is granted without objection.

The defendant freely, knowingly, intelligently, and voluntarily waived the right to a preliminary hearing. Fed. R. Crim. P. 32.1(b)(1)(A). The Court finds probable cause as alleged in the petition to believe the defendant violated the terms of supervised release and the defendant should be held to answer for a final dispositional hearing. Fed. R. Crim. P. 32.1(b)(1)(C). The defendant shall appear personally for a final dispositional hearing before Chief U.S. District Judge Robert F. Rossiter, Jr. in Courtroom No. 4, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 9:00 a.m. on August 17, 2022.

The government did not move for detention. The defendant shall be released from custody on the current terms and conditions of supervision on July 21, 2022 to be transported directly to the ARCH.

IT IS SO ORDERED.

Dated this 20th day of July, 2022.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge